

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Environmental Protection Act is amended by  
5 adding Section 22.58 as follows:

6 (415 ILCS 5/22.58 new)

7 Sec. 22.58. Drug destruction by law enforcement agency.

8 (a) For purposes of this Section:

9 "Drug destruction device" means a device that is (i)  
10 designed by its manufacturer to destroy drug evidence and  
11 render it non-retrievable and (ii) used exclusively for  
12 that purpose.

13 "Drug evidence" means any illegal drug collected as  
14 evidence by a law enforcement agency. "Drug evidence" does  
15 not include hazardous waste.

16 "Illegal drug" means any one or more of the following  
17 when obtained without a prescription or otherwise in  
18 violation of the law:

19 (1) any substance as defined and included in the  
20 Schedules of Article II of the Illinois Controlled  
21 Substances Act;

22 (2) any cannabis as defined in Section 3 of the  
23 Cannabis Control Act; or

1                   (3) any drug as defined in paragraph (b) of Section  
2                   3 of the Pharmacy Practice Act.

3                   "Law enforcement agency" means an agency of this State  
4                   or unit of local government that is vested by law or  
5                   ordinance with the duty to maintain public order and to  
6                   enforce criminal laws or ordinances.

7                   "Non-retrievable" means the condition or state  
8                   following a process that permanently alters the illegal  
9                   drug's physical or chemical condition or state through  
10                   irreversible means and thereby renders the illegal drug  
11                   unavailable and unusable for all practical purposes.

12                   (b) To the extent allowed under federal law, drug evidence  
13                   that is placed into a drug destruction device by a law  
14                   enforcement agency at the location where the evidence is stored  
15                   by the agency and that is destroyed under the supervision of  
16                   the agency in accordance with the specifications of the device  
17                   manufacturer shall not be considered discarded or a waste under  
18                   this Act until it is rendered non-retrievable.

19                   Section 99. Effective date. This Act takes effect upon  
20                   becoming law.